

REMARKS

This is in response to the non-final Office action dated October 23, 2002, for which the three-month shortened statutory period is set to expire on January 23, 2003. This response is being made before the expiration date.

By this Amendment, claims 1-28 are pending in the application.

The amendments to claims 1 and 11 are grammatical in nature. Support for the amendment to claim 20 is found in claims 21-23 as originally filed. Support for new claims 27 and 28 is found throughout the specification and claims as originally filed. Accordingly, no new matter is presented the above amendment.

Objections to Drawings

The Examiner has objected to the drawings, stating that "the figure 4 must be shown or the feature(s) canceled from the claim(s)." Corrected drawings will be submitted under separate cover.

Claim Objection

Claim 20 is objected to as failing to provide antecedent basis for "the phone line features." It is believed that the objection is overcome by the above claim amendment.

Rejections under 35 U.S.C. § 102

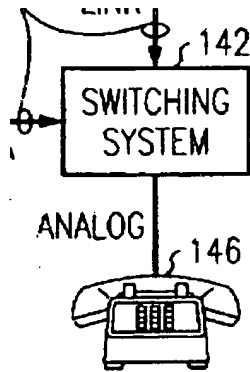
Claims 1-4, 6, 8-10, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Carr et al. (U.S. Patent No. 5,751,802). Claim 19 has been canceled by the above amendment. This rejection is respectfully traversed as to claims 1-4, 6, and 8-10.

The Carr et al. patent is not an anticipatory reference with respect to the present claims. It is well-established that to be anticipatory, a reference must disclose each and every claim limitation. Carr et al. fail to disclose each element of the rejected claims for the following reasons.

Carr et al. disclose a method of provisioning telecommunications service wherein a caller requesting service is connected to a switching system having prompting capabilities. The caller is prompted to enter a service type indicator selected from a brochure describing available service types and the service order request is automatically processed.

Claims 1-4, 6, and 8-10 distinguish patentably over Carr et al. First, each of the rejected claims requires mapping selected telecommunications features to a selected user programmable switches on the local instrument. This feature of the claims is not found in Carr et al.

The Examiner alleges that the switching system 142 of Carr et al. reads on this limitation. The Examiner is incorrect in this regard. The switching system 142 of Carr et al. refers to a centralized telecommunications switching system such as a central office which handles switching and routing functions. The switching system 142 is clearly shown to be remotely located from the local instrument 146 in Figure 3 of Carr et al.:



In contrast, the rejected claims all call for mapping features to user programmable switches on the local instrument. Because Carr et al. fail to teach or suggest mapping telecommunication features to user programmable switches on the local instrument as is required by claims 1-4, 6, and 8-10, it is respectfully submitted that, for this reason alone, the claims are not anticipated.

Claim 3 is further distinguished in that it requires that the central programming controller be physically located in the same cabinet as the local

instrument. The Examiner states that this teaching is found at column 3, lines 56-60 of Carr et al., reproduced below:

Further, switching system 101 can support data link 133 to access other switching systems via the CCS7 network 132 which interfaces switching system 142 serving station set 146 and regional data base 143.

Thus, there is no teaching or suggestion of physically housing the central programming controller in the same cabinet as the at least one local instrument in the cited passage. Accordingly, the Examiner is respectfully requested to point out where Carr et al. discloses the claim limitation regarding the physical housing of the central programming controller or withdraw this basis for the rejection.

Claim 6 is further distinguished in that it calls for the switches on the local instrument to include at least one contact sensitive region of an electronic display (such as a touch screen or the like). The Examiner alleges that such is found in reference numeral 142 of Figure 3. However, as detailed above, the reference numeral 142 of Figure 3, reproduced above, is a central switching office and is shown in functional block form. There is absolutely nothing showing a switch which is a contact sensitive region on an electronic display. Thus, for this additional reason, the rejection of claim 6 is made in error.

Because Carr et al. fail to disclose each and every limitation of claims 1-4, 6, and 8-10, it is respectfully submitted that a prima facie case of lack of novelty has not been established. Therefore, withdrawal of the rejection of claims 1-4, 6, and 8-10 under 35 U.S.C. § 102(b) is respectfully requested.

Claim 11 stands rejected under 35 U.S.C. § 102(b) as being anticipated by LeDuc et al. (U.S. Patent No. 5,355,404). This rejection is respectfully traversed.

The LeDuc et al. patent is not an anticipatory reference with respect to claim 11. It is well-established that to be anticipatory, a reference must disclose

each and every claim limitation. LeDuc et al. fail to disclose each element of the rejected claim for the following reasons.

LeDuc et al. disclose a method for use by a switching system in controlling the rate of downloading of parameters to customer stations. The method of LeDuc addresses the problem of downloading to the stations of an entire configuration group in uncontrolled fashion, which would interfere with the switching system processing of telephone calls. To address this problem, LeDuc et al. propose performing such downloading at a controlled rate thereby limiting any reduction in call processing due to the parameter downloading. The controlled rate notification is performed in accordance with two lists that are maintained by the switching system and used to track the active/inactive status of customer stations and to order the notification of active stations and the status checking of inactive stations.

Claim 11 distinguishes patentably over LeDuc et al. Claim 11 specifically requires providing voice prompts to a user at the telephone receiver to map selected telecommunications features to a selected user programmable switches on the local instrument. This claim limitation is not found in LeDuc et al.

The Examiner alleges that the "digitized voice samples" referenced at column 3, line 32, reads on the voice prompts for program mapping recited in the claim. The Examiner is incorrect in this regard and a brief overview of the ISDN standard is in order.

ISDN, or Integrated Services Digital Network, is an international telecommunications standard for transmitting voice, video, and data over digital lines running at 64 kilobits per second (Kbps). ISDN uses 64 Kbps circuit-switched channels, called B channels, or "bearer" channels, to carry voice and data. Telephone companies commonly use a 64 Kbps channel for digitized, two-way voice conversations. It uses a separate D channel, or "delta," channel for control signals. The D channel is used to signal the telephone company computer to make calls, put calls on hold, and activate features such as conference calling and call

forwarding. It also receives information about incoming calls, such as caller ID data.

ISDN basic service is called Basic Rate Interface, or BRI, which is made up of two 64 Kbps B channels and one 16 Kbps D channel (2B+D), which provides a total data rate of 128 Kbps.

The passage cited by the Examiner states that:

In the present embodiment, one B-channel is used to convey digitized voice samples at the rate of 8000 eight-bit samples per second and the other B-channel is used to convey data at a rate of 64 kilobits per second. (However, each B-channel could be used for either voice or data traffic.)

Thus, the "digitized voice samples" simply refers to the voice traffic. Merely "conveying" digital voice data is not the same as using voice prompts and there is nothing to suggest that the digitized voice samples are "voice prompts" as is required by the present claims. The Examiner is requested to either substantiate his assertion, either by way of a reference or an Examiner's Affidavit under Because LeDuc et al. fail to teach or suggest mapping telecommunication features to user programmable switches on the local instrument using voice prompts as is required by claim 11, it is respectfully submitted that a *prima facie* case of anticipation has not been established by the Examiner. Therefore, withdrawal of the rejection of claim 11 under 35 U.S.C. § 102(b) is respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 5, 7, and 20-26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carr et al. in view of LeDuc et al. This rejection is respectfully traversed.

It is well established that, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also *In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970).

Claims 5 and 7 each depend on claim 1 and therefore, each contain every limitation thereof. Thus, claims 5 and 7 each require mapping selected

telecommunications features to a selected user programmable switches on the local instrument using at least one of tones, beeps, buzzes and voice prompts.

Carr et al. fail to teach or suggest the switches on the local instrument.

The switch 142 of Carr et al. and relied upon by the Examiner is not relevant to the switches of claim 1 since it refers to a central switching office and not switches on a local instrument.

The LeDuc et al. reference does not make up for this deficiency in Carr et al. As the Examiner notes, LeDuc et al. discloses local switches on a telephone. However, there is no teaching or suggestion to use an audible prompt selected from tones, beeps, buzzes, and voice prompts as required by the present claims to map features to such buttons.

Since the cited references fail to disclose or otherwise suggest each and every claim limitation, it is respectfully submitted that the rejection is in error. The Examiner is respectfully requested to either show where in the references the claimed feature may be found or withdraw the rejection as to claims 5 and 7.

Regarding claims 20-26, the claims, as amended, each require one or both of the following to transmit information regarding the selected phone features: a flashing pattern of selected ones of the plurality of indicator lights and a selectable color of selected ones of the plurality of indicator lights.

Neither reference discloses a voice prompt system using a flashing pattern of indicator lights and/or a selectable color of indicator lights to transmit information regarding the selected phone features.

While LeDuc et al. disclose telephone buttons having status and in-use buttons, there is no teaching or suggestion of an indicator lamp having a selectable color or the use of a flashing pattern to transmit information, contrary to the Examiner's assertions. Therefore, in accordance with M.P.E.P. § 2144.03, Applicant respectfully requests that the Examiner provide some further evidence that the cited prior art teaches the use of a selectable color and/or the use of a flashing pattern as required by claims 20-26. If the Examiner is unable to provide

such evidence by way of either the cited reference or some other reference, and is instead relying on facts within his own personal knowledge, Applicant requests that such facts be set forth in an affidavit from the Examiner under 37 C.F.R. § 104(d)(2). Absent substantiation by the Examiner, it is respectfully requested that this basis for the rejection be withdrawn.

Claims 12-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over LeDuc et al. in view of Carr et al. This rejection is respectfully traversed.

Again, to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also *In re Wilson*, 165 U.S.P.Q. 494 (C.C.P.A. 1970).

By virtue of their dependency on claim 11, each of claims 12-18 requires providing voice prompts to a user at the telephone receiver to map selected telecommunications features to a selected user programmable switches on the local instrument. This claim limitation is not found in either of the cited references.

The Examiner alleges that the "digitized voice samples" referenced at column 3, line 32, of LeDuc et al. reads on the voice prompts for program mapping recited in the claim. However, the Examiner is incorrect in this regard since the voice samples referenced simply refer to the digital telephone voice traffic, for the reasons detailed above.

Furthermore, Carr et al. does not cure this deficiency of LeDuc et al. While Carr et al. discloses provisioning telephone services using a voice prompting system, there is no teaching or suggestion in Carr et al. of program mapping system features to selected user programmable buttons on a telephone receiver.

Since the cited references fail to disclose or otherwise suggest each and every claim limitation, namely, the use of voice prompts to program map selected PBX features to selected programmable telephone buttons, as called for

by the rejected claims, it is respectfully submitted that the rejection is made in error.

The Examiner is respectfully requested to either show where in the references the claimed feature may be found or withdraw the rejection of claims 12-18.

Claim 13 is further distinguished in that it requires that the central programming controller be physically located in the same cabinet as the local instrument. The Examiner states that this teaching is found at column 3, lines 56-60 of Carr et al., which was reproduced above. However, inspection of the reference indicates that there is no teaching or suggestion of physically housing the central programming controller in the same cabinet as the at least one local instrument in the cited passage or elsewhere. Accordingly, the Examiner is respectfully requested to point out where Carr et al. discloses the claim limitation regarding the physical housing of the central programming controller or withdraw this basis for the rejection.

Claim 16 is further distinguished in that it calls for the switches on the local instrument to include at least one contact sensitive region of an electronic display (such as a touch screen or the like). The Examiner alleges that such is found in reference numeral 1032 of Figure 2. However, reference numeral 1032 of Figure 2 is disclosed only as a "display." See LeDuc et al. at column 3, line 1. There is no teaching or suggestion of a contact sensitive region on the display 1032. Thus, for this additional reason, the rejection of claim 16 is made in error.

Because the cited references fail to disclose each and every limitation of claims 12-18, it is respectfully submitted that a prima facie case of obviousness has not been established. Therefore, withdrawal of the rejection of claims 12-18 under 35 U.S.C. § 103(a) is respectfully requested.

Prior Art Made of Record and Not Relied upon

Applicant will not burden the record with a discussion of the prior art cited by the Examiner, but not relied upon in a rejection.

Conclusion

For the above reasons, Applicant respectfully submits that certain clear and distinct differences as discussed exist between the present invention and the references upon which the rejections in the outstanding Office action rely. These differences are more than sufficient that the present invention as claimed would not have been neither anticipated nor rendered obvious given these references. Rather, the present invention as a whole is distinguishable from, and thereby allowable over, the references of record. Notification to that effect, upon due consideration of the above by the Examiner, is earnestly solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of this application, the Examiner is invited to contact Applicant's undersigned representative at the address and phone number indicated below.

Respectfully submitted,



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ATTACHMENTS: Marked-Up Version of the Amended Claims, Showing Changes Made

MARKED-UP VERSION OF THE AMENDED CLAIMS, SHOWING CHANGES
January 11, 2003

IN THE CLAIMS:

Please amend claims 1, 11, and 20 as follows:

-- 1. (Amended) A method of program mapping selected ones of a plurality of telecommunication system features from a central programming controller to selected ones of a plurality of user programmable switches on at least one local instrument using at least one of tones, beeps, buzzes and voice prompts provided by the central controller to a user at the at least one local instrument.

-- 11. (Amended) A method of program mapping selected ones of a plurality of PBX system features to selected ones of a plurality of user programmable telephone buttons on a telephone receiver, the method comprising:

 using voice prompts to a user at the telephone receiver and the telephone buttons; and

 generating said voice prompts by at least one user interface connected to the PBX.

-- 20. (Amended) A telephone apparatus having a voice prompting system to allow remote programming of [the] phone line features, comprising:

a plurality of telephone lines connected to a plurality of telephones in a centrally controlled network;

a plurality of phone operating features controlled by a central controller;

each individual one of the operating features selectively provided to any selected one of the plurality of lines;

each individual one of the plurality of telephones having a plurality of buttons, switches and indicator lights;

each individual one of the lines being programmed to obtain selected ones of the plurality of phone operating features by a selected series of button presses of the plurality of buttons; [and]

wherein the voice prompting system provides selected pre-recorded messages responsive to an order of pressing a portion of the plurality of buttons; and

wherein the voice prompting system uses one or both of:

a flashing pattern of selected ones of the plurality of indicator lights; and

a selectable color of selected ones of the plurality of indicator lights;

to transmit information regarding the selected phone features.- -